

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

iWORK SOFTWARE, LLC, a North Carolina Limited Liability Company)	
Plaintiff,)	Civil Action No. 02 C 6355
v.)	The Honorable Judge Ronald Guzman
CORPORATE EXPRESS, INC., a Colorado Corporation, HERMAN MILLER, INC., a Michigan corporation, W.W. GRAINGER, INC., an Illinois corporation, MOLEX INCORPORATED, a Delaware corporation, and BOISE CASCADE CORPORATION, a Delaware corporation,)	Magistrate Judge Mason
Defendants.)	

FILED

MAY 01 2003

RONALD A. GUZMAN, JUDGE
UNITED STATES DISTRICT COURT

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WEBMETHODS, INC.'S SUBMISSION OF INTERVENTION PLEADING

webMethods, Inc. ("webMethods") pursuant to the briefing schedule entered on April 24, 2003, hereby attaches (as Exhibit A) its proposed pleading as required by Fed. R. Civ. P. 24 which webMethods would file if permitted to intervene.

webMethods submits that its proposed pleading is virtually identical to the answers, affirmative defenses, and counterclaims that have already been plead in this action by the named Defendants, Corporate Express, Inc., Herman Miller, Inc., W.W. Grainger, Inc., Molex Incorporated, and Boise Cascade Corporation ("Customer Defendants").

On February 25, 2003, webMethods filed with this Court a motion for reassignment and consolidation (of No. 03-CV-838 assigned to the Hon. Matthew F. Kennelly) with this action, a related case (02-CV-6355), or in the alternative, for leave to intervene in the related case. The Memorandum in support of said motion is incorporated herein and attached hereto as Exhibit B.

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Since the filing of webMethods' motion, Judge Kennelly issued an order on April 21, 2003 granting iWork's motion to dismiss webMethods' Complaint in 03-CV-838. webMethods filed a motion for reconsideration of that ruling on April 25, 2003 based on contractual obligations to indemnify the Customer Defendants and iWorks' claims charts (filed pursuant to protective order) that identify webMethods software as an infringing product. Judge Kennelly is expected to rule on webMethods' motion for reconsideration on May 21, 2003.¹

WHEREFORE, webMethods requests that the court accept the attached proposed pleading in support of its motion to intervene to become a party defendant to this case.

May 1, 2003

Respectfully submitted,



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¹ While Judge Kennelly's April 21, 2003 ruling has currently mooted webMethods motion to reassign, if the Motion for Reconsideration is granted, webMethods will move to reassign Case '838 with this related case. Alternatively, if the Motion for Reconsideration is not granted, webMethods will amend the attached proposed pleading as appropriate.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing WEBMETHODS, INC.'S SUBMISSION OF INTERVENTION PLEADING was served this 1st day of May 2003 on the following by hand delivery

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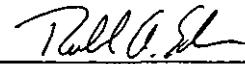
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